

FILED

2005 NOV 30 PM 2:20

RICHARD W. L. KING
CLERK
U.S. DISTRICT COURT
SAN DIEGO, CALIF.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FERENC NEMETH,

Petitioner,

No C-02-2689 VRW

v

COMMISSIONER OF SOCIAL SECURITY,

ORDER

Respondent.

By order dated July 27, 2005, the court ordered plaintiff Ferenc Nemeth to file his summary judgment motion on or before August 31. Doc # 12. The order stated: "If plaintiff fails to file a motion for summary judgment, or seek from the court an extension of time, within the time provided by this order, this action will be dismissed." By timely stipulation of the parties, the deadline for plaintiff to file his motion was extended to October 15, 2005. Doc #13.

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1 As of this date, plaintiff has not filed his motion nor
2 sought a further extension of time. His action is therefore
3 dismissed, without prejudice.

4 The clerk is directed to close the file and terminate all
5 pending motions.

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7 IT IS SO ORDERED.

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10 VAUGHN R WALKER
11 United States District Chief Judge
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